



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 1  
1 Congress Street, Suite 1100  
BOSTON, MA 02114-2023

**Memorandum**

**Date:** March 12, 2009

**Subject:** Newport NH0100200  
Administrative Order Docket No. 09-015

**From:** Joy Hilton

**To:** File

At 9:05 a.m., Larry Wiggins, Newport's Public Works Director, called me to ask a couple of questions about the Administrative Order (AO) schedule. In particular, he was concerned about meeting the December 31, 2009 deadline for preparing and submitting a facilities plan for WWTF upgrade to EPA and NHDES with recommendations and a proposed implementation schedule to meet permit limits by October 31, 2012. Mr. Wiggins said that he thought he would need another 2 or 3 months to complete the facilities planning based on the need to pilot test in the fall of 2009 and to account for EPA and NHDES review time. Mr. Wiggins asked if the schedule could be modified.

I explained that the December 31, 2009 deadline was the date by which the Town would have to complete its evaluations of the WWTF and prepare and submit a (draft) facilities plan report for EPA's and NHDES' review. EPA added one month to the December 1, 2009 deadline that the town negotiated with NHDES in the fall of 2008 so that the Town could also address WET limits violations. The EPA and NHDES review the draft plan, the schedule is discussed, is revised as necessary, and then is incorporated into the AO by issuing a "schedule letter" (from EPA to the town). The AO specified a final compliance deadline of October 31, 2012 to accommodate the town's request (to NHDES) for time through the summer of 2012 to complete construction and get the plant up and running. Mr. Wiggins said that now that he understands that EPA and NHDES expect to receive a draft facilities plan by the December 31, 2009 deadline, the deadline is fine and he also appreciated the change of the final compliance deadline from May 30, 2012 to October 31, 2012.

Mr. Wiggins said that he is working on some public education and outreach before the March 16, 2009 town meeting. He asked me to provide penalty information to Bob Naylor, Newport's Assistant Public Works Director-to explain the possible consequences of not complying with the AO.

